

The Secretary
An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

16th June 2025

AN BORD PLEANÁLA

LDG- 080832-25

ABP- _____

17 JUN 2025

Fee: € 220 Type: Chg

Time: 9-39 By: Roy Rst

Development: Section 5 Declaration in respect of proposed works to dwellinghouse at Mongfune, Murroe, Co. Limerick.

Applicant: Jodie Gleeson.

Planning Authority: Limerick City & County Council

Declaration Ref. No.: EC/106/25

Planning Authority Decision: Not deemed exempt

Dear Sir/Madam

We write on behalf of our client, Jodie Gleeson, to appeal the decision by Limerick City & County Council to deem the proposed works as outline in the Section 5 application, not to be exempted development.

We attach the following in connection with the appeal:

1. Cheque in the amount of €220, being the appeal fee.
2. Copy of Section 5 Declaration - Ref. No. EC/106/25
3. Copy of Planners Report.
4. Copy of Section 5 application documentation.
5. Planning History of the Site.
6. Copy of Commencement Notice.
7. Copy of correspondence from Limerick City & County Council acknowledging receipt of Commencement Notice.

We wish to appeal on the single grounds that we are of the opinion that the structure on site i.e. the dwellinghouse built to blockwork complete stage is not an unauthorised development.

It is our assumption, that Limerick City & County Council are of the opinion that the structure is unauthorised and they are therefore prohibited from granting a permission in relation to same until such time as it is regularised.

We do not believe the structure to be unauthorised, the structure is incomplete in so far as the construction of the dwellinghouse is not finished, but that does not render the structure as it currently exists unauthorised.

We enclose a Planning History of the Site and this demonstrates how the existing structure was granted the necessary statutory approvals and we enclose a copy of the Commencement Notice and a receipt for same, which demonstrates that the existing structure was constructed to its current stage within the timeframe of the relevant planning permissions and thus no work was

carried out, outside of the lifetimes of the planning permissions, which would render the structure unauthorised.

It would appear that Limerick City & County Council are of the opinion that the whole of the development needed to be completed within the timeframes of the planning permissions for the structure to be authorised, however we would contend that a large number of developments are not fully completed within the timeframe of their planning approval and if a further planning permission is being sought on the property, a retention planning permission is not required beforehand to regularise the situation.

In essence, if planning permission is granted for an airport, train station or a farm complex, and the development as granted planning permission is not completed 100%, this does not mean that the portion complete becomes unauthorised on the date of termination of the planning permission.

If an airport was constructed to 75% of what was granted planning permission, during the lifetime of the relevant permission and subsequently, the developers wish to provide a totally new building or runway, not envisaged in the initial application, they are not required to get a retention permission on the existing development prior to making the new application.

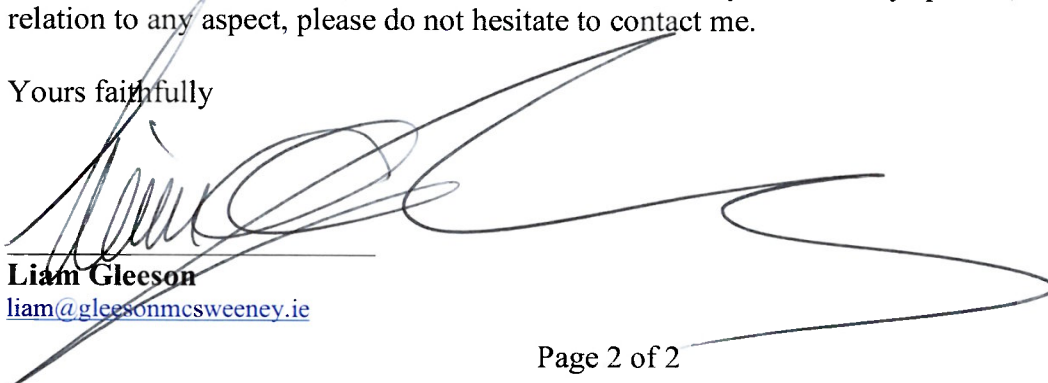
We are firmly of the view that the structure as built during the lifetime of the relevant planning permission does not become an unauthorised structure, the day after the expiry of the relevant permission.

You will note from the enclosed Planning History of the Site, that there were two applications made for Extension of Duration of the relevant planning permission, the first was refused because there was no structure in place on the site and the second was granted planning because there was a structure on the site. This clearly demonstrates that there was an authorised structure on the site and we are firmly of the view that this structure did not become unauthorised just because the planning permission expired.

In the initial Section 5 application submitted to Limerick City & County Council, we mentioned two other nearby structures, a derelict dwellinghouse and an agricultural shed, which Limerick City & County Council considered to constitute a structure and they granted permission for their development as dwellinghouses, we are of the opinion that the structure on the site in question similarly constitutes a structure, which is not unauthorised and thus a Section 5 permission should be granted for its development.

We trust the above is to your satisfaction and should you have any queries, whatsoever in relation to any aspect, please do not hesitate to contact me.

Yours faithfully


Liam Gleeson
liam@gleesonmcsweeney.ie



Comhairle Cathrach
& Contae **Luimnigh**
Limerick City
& County Council

Pleanail agus Cruthú Aite
Comhairle Cathrach agus Contae Luimnigh
Bothar Thuar an Dail
Tuar an Dail Luimneach
V94 WV78

Planning and Place-Making
Limerick City and County Council
Dooradoyle Road
Dooradoyle, Limerick
V94 WV78

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC/106/25

Name and Address of Applicant: Jodie Gleeson, The Old Creamery, Knockcarron, Knocklong, Co. Limerick.

Agent: Gleeson Mcsweeney, 99 O' Connell Street, Limerick, V94P8CY.

Whether the placement of roof, install windows and doors and apply external render at Mongfunne, Murroe, Co. Limerick is or is not Development or is or is not Exempted Development. The works as described on the plans submitted with the application on the 1st of May 2025.

AND WHEREAS the Planning Authority has concluded that the placement of roof, install windows and doors and apply external render at Mongfunne, Murroe, Co. Limerick **DOES NOT** come within the scope of exempted development under 4(1)(h) of the Planning and Development Act 2000 (as amended) See Report attached.

NOW THEREFORE the Planning Authority in exercise of the powers conferred on it by Section 5(2) (a) of the Planning and Development Act 2000 (as amended) hereby decides that the said development as described above is **Development and is NOT Exempt Development.**

Signed on behalf of the said Council

Karen Carlon

Date:

26/05/2025

NOTE: A Declaration on Development or Exemption issued by Limerick City & County Council may be referred to An Bord Pleanála on payment of €220 for review within 4 weeks after the issuing of the declaration.

Report on application under Section 5 of the Planning and Development Act 2000 (as amended)

Reference no. EC-106-25

Name and Address of Applicant: Jodie Gleeson,
The Old Creamery,
Knockcarron,
Knocklong,
Co. Limerick.

Agent: Gleeson Mcsweeney,
99 O'Connell Street,
Limerick,
V94P8CY.

Location: Mongfune,
Murroe,
Co. Limerick.

Description of Site and Surroundings:

There is a partially constructed two story dwelling on site which is located in the townland of Mongfune, this is to the east of Murroe. The site is accessed off the L-5125.

Zoning:

N/A

Proposal:

This is an application requesting a Section 5 Declaration on whether the following works are or are not development or are or not exempted development:

- Placement of roof
- Install windows and doors
- Apply external render

This Section 5 declaration includes the following:

- Application Form
- Proposed Elevations
- Proposed Floor plans
- Site layout plan
- Cover letter

Planning History:

21/695 – Permission granted to Linda O' Connor to retain dwellinghouse as partially constructed and for permission to complete the construction of aforementioned dwellinghouse and associated site works including wastewater treatment system and entrance.

06/1018 – Permission granted to John and Msry Kerr for construction of dwellinghouse, proprietary treatment system, boundary wall, entrance and ancillary site works.

02/1712 - Outline pemrisison grnated for Amanda and Shah Alam Baloch for Construction of a dwelling, proprietary treatment system, boundary wall, entrance and ancillary site works.

Enforcement History

N/A

Relevant An Bord Pleanála referrals

N/A

Assessment

Consideration as to whether a development constitutes exempted development or not is governed by Sections 4 and 5 of the Planning and Development Act 2000 (as amended) and Articles 5, 6, 7, 8, 9, 10 and 11 of the Planning and Development Regulations 2001 (as amended).

Is the proposal development?

Section 2(1) in this Act, except where otherwise requires –

‘works’ includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal.

‘**structure**’ as any building, structure, excavation, or other thing constructed or made on, in or under any land, or part of a structure so defined, and –

(a) Where the context so admits, includes the land on, in or under which the structure is situated.

Section 3(1) defines ‘**development**’ as ‘the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land’.

The proposed development on site, comprising a single story extension to rear of existing dwelling constitutes ‘works’ and ‘development’.

Is the proposal exempted development?

The proposal is for the completion of the partially constructed dwelling on site. A roof would be erected, windows and doors added and render applied. The application form references Section 4(1)(h) of the Planning and Development Act 2000 (as amended) as the relevant section of the act in which this development is exempt.

It is the agent’s contention that the partially constructed dwelling was built in full compliance with the permission granted. This is not the case, the dwelling was not fully completed in accordance with this permission, what currently exists on the site is foundations and external walls, it is not roofed, there are no opes in place, the associated entrance is not in place nor is there a waste water treatment system on site at present. I also note that the existing development on the site has never been in use as a dwelling. Reference is made to other planning permissions, which were recently granted in the area, Planning Ref 24/126 relates to a derelict dwelling and Planning Ref 23/331 relates to the conversion of an outbuilding. In the first case, the structure had been fully completed and in use as a dwelling at one time but had fallen into dereliction i.e. the established use was residential. In the second case, permission was granted for the conversion of an existing outbuilding, the established use of which was as an outbuilding, to residential. Both of these were authorised structures, which were fully completed and had previously been in use, the existing partially constructed dwelling is not fully

compliant with the parent planning permission Planning Ref 21/549, it is therefore not an authorized structure and it has never been in use as a residence. Furthermore, this site is within the area under urban influence, therefore Objective HO O20 is applicable as this development would lead to the provision of a new house.

It is therefore concluded that this development is not exempt development and planning permission is required to retain and complete this partially constructed dwelling.

Article 9 Restrictions

Development to which article 6 relates shall not be exempted development for the purposes of the Act— (a) if the carrying out of such development would—

9(1)(a)(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act.

9(1)(a)(viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use.

Appropriate Assessment

An AA Screening examination has been undertaken (see Appendix 1). Overall it is considered that the development as proposed should not exercise a significant effect on the conservation status of any SAC or SPA as there are no source-pathway-receptors and the site does not directly encroach on any Natura 2000 European Sites. Therefore, an Appropriate Assessment is not necessary.

Environmental Impact Assessment

An EIA Screening examination has been undertaken (see Appendix 2). Based on a preliminary examination of the proposal there is no real likelihood of significant effects on the environment and EIA is not required.

Conclusion/Recommendation

The proposed works to complete the structure on the site are not exempt, as they would comprise the alterations to an existing structure, which is not compliant with its Planning Permission, PL Ref 21/549, and is therefore unauthorized. In this regard, the proposed works would contravene conditions attached to the planning permission (PL Ref 21/549), in particular Condition No. 1 and Condition No. 3.

Regard has been had to –

- (a) Section 2, 3 and 4(1)(h) of the Planning and Development Act 2000 (as amended)
- (b) Article 9 (viii) of the Planning and Development Regulations 2001 (as amended)
- (c) 9(1)(a)(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act.
- (d) The plans & particulars submitted with the application received on the 1st May 2025.

It is therefore considered that the said works are development and are not exempted development under 4(1)(h) of the Planning and Development Act 2000 (as amended)



John Wallace
A/Executive Planner

Agreed 

Jennifer Collins
A/Senior Executive Planner

Date 16/05/2025

Date: 19/05/2025

Appendix 1- AA Screening examination

AA PIN01 Screening Form

STEP 1: Description of the project/proposal and local site characteristics:	
a. File Reference No:	EC/106/25
b. Brief description of the project or plan:	Proposal: This is an application requesting a Section 5 Declaration on whether the following works are or are not development or are or not exempted development: • Placement of roof • Install windows and doors • Apply external render
c. Brief description of site characteristics:	There is a partially constructed two story dwelling on site which is located in the townland of Mongfunne, this is to the east of Murroe. The site is accessed off the L-5125.
d. Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	N/A
e. Response to consultation:	N/A

European Site (code)	List of Qualifying Interest/Special Conservation Interest ¹	Distance from proposed development ² (km)	Connections (Source-Pathway-Receptors)	Considered further in screening Y/N
002165 Lower River Shannon SAC	<u>Lower River Shannon SAC National Parks & Wildlife Service (npws.ie)</u>	600m	None	No
004165 Slievefelim to Silvermines Mountains SPA	<u>Slievefelim to Silvermines Mountains SPA National Parks & Wildlife Service (npws.ie)</u>	354m	None	No

001432 Glenstal Wood SAC	Glenstal Wood SAC National Parks & Wildlife Service (npws.ie)	2.4km	None	No
001197 Keeper Hill SAC	https://www.npws.ie/protected-sites/sac/001197	11.2km	None	No
002258 Silvermines Mountains West SAC	https://www.npws.ie/protected-sites/sac/002258	14.2km	None	No

¹ Short paraphrasing and/or cross reference to NPWS is acceptable – it is not necessary to reproduce the full text on the QI/SCI.

² if the site or part thereof is within the European site or adjacent to the European site, state here

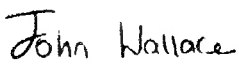
STEP 3: Assessment of Likely Significant Effects	
a. Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:	
Impacts:	Possible Significance of Impacts: (duration/Magnitude etc)
Construction phase e.g. • Vegetation clearance • Demolition • Surface water runoff from soil excavation/infill/landscaping (including borrow pits) • Dust, noise, vibration • Lighting disturbance • Impact on groundwater/dewatering • Storage of excavated/construction materials • Access to site • Pests	None. Works are minimal and will involve temporary construction works; therefore, no likely significant impact on the conservation objectives of the above named site.
Operation phase e.g. • Direct emission to air and water • Surface water runoff containing contaminant or sediment • Lighting disturbance • Noise/vibration • Changes to water/groundwater due to drainage or abstraction • Presence of people, vehicles and activities • Physical presence of structures (e.g collision risk) • Potential for accidents or incidents	None works are minimal and will involve temporary construction works; therefore, no likely significant impact on the conservation objectives of the above named site.
In-combination/Other	N/A given the level of development in the area

b. Describe any likely changes to the European site:

Examples of the type of changes to give consideration to include: • Reduction or fragmentation of habitat area • Disturbance to QI species • Habitat or species fragmentation • Reduction or fragmentation in species density • Changes in key indicators of conservation status value (water or air quality etc) • Changes to areas of sensitivity or threats to QI • Interference with the key relationships that define the structure or ecological function of the site	None. Works are minimal and will involve temporary construction works; therefore, no likely significant impact on the conservation objectives of the above named site.
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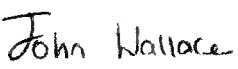
c. (Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?)
☐ Yes ☒ No

STEP 4: Screening Determination Statement		
The assessment of significance of effects:		
Describe how the proposed development (alone or in-combination is/is not likely to have significant effects on European site (s) in view of its conservation objectives		
On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to: • the nature and scale of the proposed development on fully serviced lands, • the intervening land uses and distance from European sites, • the lack of direct connections with regard to the Source-Pathway-Receptor model, it is concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives. An appropriate assessment is not, therefore, required.		
Conclusion: AA Screening is not required.		
	Tick as appropriate:	Recommendation:
i. It is clear that there is no likelihood of significant effects on a European Site	☒	The proposal can be screened out: Appropriate Assessment not required.
ii. It is uncertain whether the proposal will have a significant effect on a European Site	☐	☐ Request further information to complete screening ☐ Request NIS ☐ Refuse planning permission

iii. Significant effects are likely	☐	☐ Request NIS ☐ Refuse planning permission
Signature and Date of Recommending Officer:	 John Wallace A/Executive Planner 16/05/2025	
Signature and Date of the Decision Maker:	 Jennifer Collins, A/Senior Executive Planner 19/05/2025	

Appendix 2 EIA Screening – Establishing if Proposal is Sub-threshold

Establishing if the proposal is a ' <i>sub-threshold development</i> ':	
Planning Register Reference:	EC-106-25
Development Summary:	This is an application requesting a Section 5 Declaration on whether the following works are or are not development or are or not exempted development: • Placement of roof • Install windows and doors • Apply external render
Was a Screening Determination carried out under Section 176A-C?	☐ Yes, no further action required ☒ No, Proceed to Part A
A. Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1 , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)	
☐ Yes, specify class: [insert here]_____	EIA is mandatory No Screening required
☒ No	Proceed to Part B
B. Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2 , of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (Tick as appropriate)	
☒ No, the development is not a project listed in Schedule 5, Part 2	No Screening required
☐ Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): __[specify class & threshold here]__	EIA is mandatory No Screening required
☐ Yes the project is of a type listed but is <i>sub-threshold</i> . [insert here]_____	Proceed to Part C
C. If Yes , has Schedule 7A information/screening report been submitted?	
☐ Yes, Schedule 7A information/screening report has been submitted by the applicant	Screening Determination required
☐ No, Schedule 7A information/screening report has not been submitted by the applicant	Preliminary Examination required

Signature and Date of Recommending Officer:	 John Wallace, A/Executive Planner 16/05/2025
Signature and Date of the Decision Maker:	 Jennifer Collins, A/Senior Executive Planner 19/05/2025

Appendix 3 – Site Inspection Photographs



Planning & Environmental Services Department
Limerick City & County Council
Civic Offices
Dooradoyle Road
Limerick
V94 WV78

1st May 2025

Re: Dwellinghouse at Mongfunne, Murroe, Co. Limerick.
Client: Jodie Gleeson.

Dear Sir/Madam,

We wish to apply on behalf of our client, Jodie Gleeson for a Section 5 Declaration of Exemption for the works outlined below to be carried out to the above dwellinghouse. We enclose the following in support of our application.

1. Completed Section 5 application form.
2. Receipt in the amount of €80, being the application fee.
3. The following drawings:
 - Site Location Map
 - 2105-06-20 Site Layout Plan
 - 2105-06-21 General Arrangement Drawing - Proposed Works
 - 2105-06-22 General Arrangement Drawing - Existing Structure

We are of the view that the works proposed as outlined below constitute exempted development under Section 4(1)(h) of the Planning & Development Act 2000, in so far as the works, do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures. The development as proposed is materially the same as was granted planning permission under Ref. No. 02-1712 (Outline Planning Permission) and Ref. No. 06-1018 (Planning Consequent).

Propose works:

1. Placement of roof.
2. Installation of windows and external doors.
3. Rendering of external walls.

We take this opportunity to highlight the following:

1. The existing structure on site was constructed under Planning Permissions Ref. No. 02-1712 (Outline Planning Permission) and Ref. No. 06-1018 (Planning Consequent), prior to the expiry of the planning consequent permission. We attached a copy of the commencement notice which was submitted at the start of construction, which was received by Limerick City & County Council on the 16th June 2011, while the planning consequent permission expired on the

12th July 2011. Accordingly, the structure on site was built full in compliance with planning permission and thus does not constitute an unauthorised development.

2. As the property does not constitute an unauthorised development and was always intended to be a dwellinghouse, we are of the opinion that the proposed works are appropriate for the satisfactory completion of the dwellinghouse.
3. A separate planning application will be submitted to Limerick City & County Council for the installation of the wastewater treatment system and roadside entrance. No works will commence on site prior to the granting of such an application.
4. It is highlighted that planning permission was granted nearby (approx. 300m from site in question) for the redevelopment of a derelict structure under Planning Permission Ref. No. 24-126 with the proposed development described as follows; *Raised pitched roofs [2no.] of existing cottage to form first floor area comprising of 2no. bedrooms, bathroom, landing & attic store. New pitched roofs to include 2no. dormer windows, & 2no. Velux roof lights to front elevation. New raised section of external walls & gables [timber framed] to be finished with smooth sand/ cement render. New windows to replace existing at ground floor level including new window to replace existing front entrance door [re-located]. New two storey gable [south east] & rear extension to include new front entrance, stairwell, utility & WC. 1no. Velux roof light to front roof slope & 3no. Velux roof lights to rear roof slope extension]. Internal modifications to existing ground floor [cottage]. Installation of new waste water system incl. percolation area. New timber post & rail fence to front boundary including new vehicular entrance and associated site works.* This structure was adjudicated by the Planning Authority to constitute a structure and as such, they granted planning for its development without the insertion of a residency clause. It is our opinion that the structure in question also constitutes a structure and is not unauthorised because it was developed to its current stage of construction in compliance with its planning permission.
5. It is further highlighted that planning permission was also granted nearby (approx. 5km from site in question) for the redevelopment of an agricultural shed into a dwellinghouse under Planning Permission Ref. No. 21-331 namely development consisting of the *partial demolition of existing single storey outbuilding and construction of a single storey dwelling incorporating the reuse of existing single storey outbuildings on the site, a waste water treatment system, percolation area, site entrance and all ancillary site works.* This structure was again adjudicated by the Planning Authority to constitute a structure and they granted planning for its development without the insertion of a residency clause. We are of the opinion that the structure in question constitutes a structure just as much as the agricultural shed mentioned in this paragraph.

I trust that the above and enclosed are acceptable to you or should you have any queries in relation to the same, please contact the undersigned, in the meantime we await your decision thereon.

GLEESON MCSWEENEY ARCHITECTS

Yours faithfully

Liam Gleeson

liam@gleesonmcsweeney.ie



Limerick City and County Council

Planning Department

Section 5 Application

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name: Jodie Gleeson

Applicant's Address: The Old Creamery, Knockcarron,
Knocklong, Co. Limerick V35 K540

Telephone No. 087-6114756

Name of Agent (if any): Gleeson McSweeney Architects

Address: 99 O'Connell Street, Limerick V94 P8CY

Telephone No. 087-2258954

Address for Correspondence:

Gleeson McSweeney Architects, 99 O'Connell Street, Limerick V94 P8CY

Location of Proposed development (Please include **EIRCODE**):

Mongfune, Murroe, Co. Limerick

Description of Proposed development:

1. Placement of roof.

2. Installation of windows and external doors.

3. Application of external render.

Section of Exempted Development Regulations and/or section of the Act under which exemption is claimed:

Section 4(1)(h) of the Planning & Development Act 2000

Is this a Protected Structure or within the curtilage of a Protected Structure.
~~XXX~~/NO

Applicant's interest in site: Owner

List of plans, drawings, etc. submitted with this application:

Site Location Map

21-05-06-20 Site Layout Plan

2105-06-21 General Arrangement Drawing - Proposed Works

2105-06-22 General Arrangement Drawing - Existing Structure

Have any previous extensions/structures been erected at this location YES/~~XXX~~

If Yes please provide floor areas of all existing structures:

232.1m2

Signature of Applicant (or Agent)

Jodie Gleeson

NOTES: Application must be accompanied by:

- (a) Fee of €80
- (b) Site location map
- (c) Site layout plan
- (d) Dimensioned plans and elevations of the structure and any existing structures.
- (e) Where the declaration is in respect of a farm building, a layout identifying the use of each existing building together with floor area of each building.

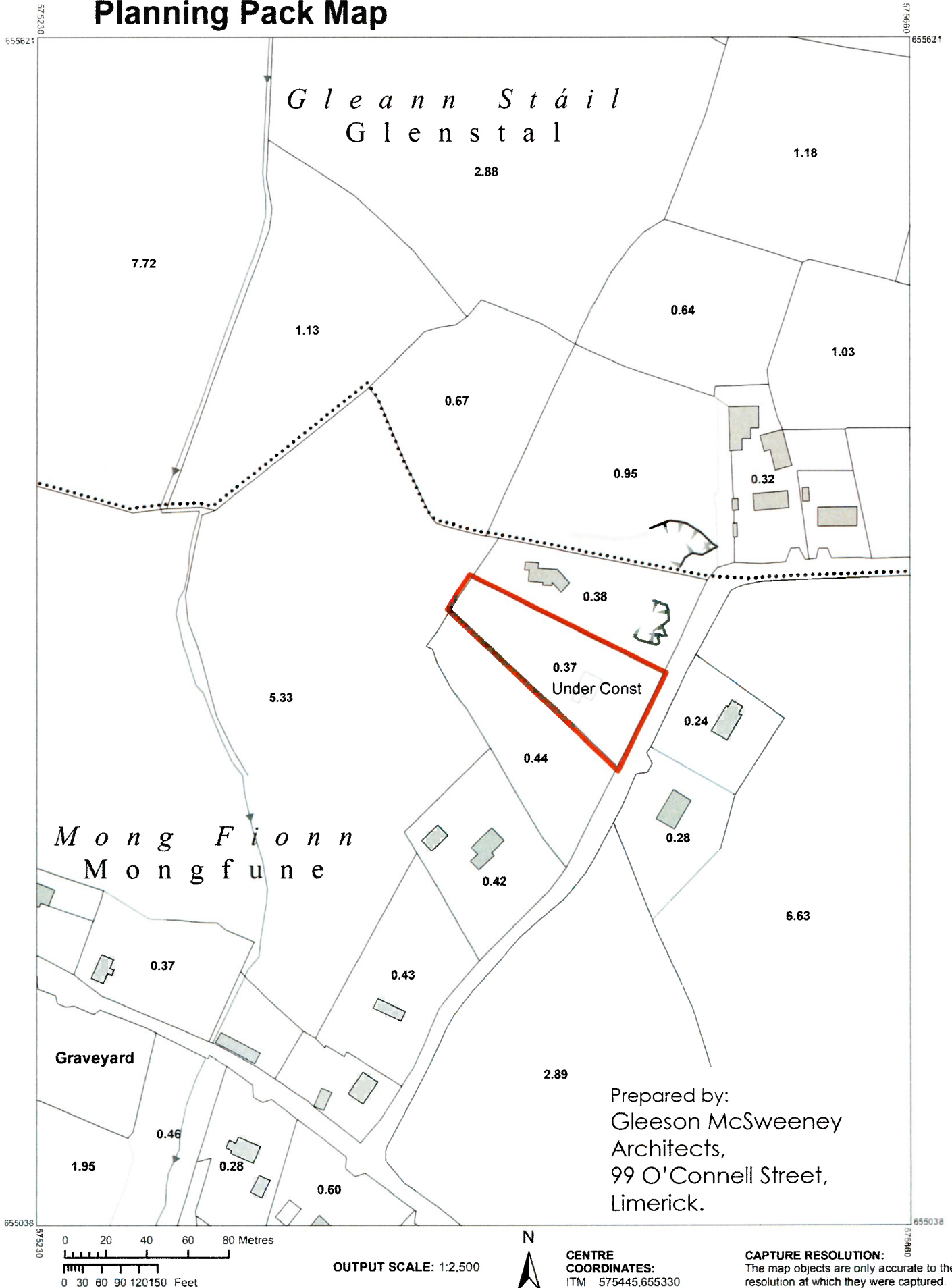
Application to be forwarded to:

**Planning Department,
Limerick City & County Council,
Dooradoyle,
Limerick,
V94 XF67**

**Enquiries:
Telephone: 061-556556
E-Mail: planning@limerick.ie**



Planning Pack Map



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Planning History of the Site

At

Mongfune, Murroe, Co. Limerick

- - - - -

Planning Permission Ref. No.: 02-1712
 Received Date: 04/11/2002
 Decision Date: 30/05/2003
 Grant Date: 03/07/2003
 Type of permission: Permission – Outline Permission, Conditional
 Applicant Name: Amanda & Shah Alam Baloch
 Description: Construction of dwelling, proprietary treatment system, boundary wall, entrance and ancillary site works.
 Location: Mongfune, Murroe, Co. Limerick
 Architects:
 Comment: This is the planning application on which outline planning permission was granted.

- - - - -

Planning Permission Ref. No.: 06-1018
 Received Date: 13/04/2006
 Decision Date: 07/06/2006
 Grant Date: 13/07/2006
 Type of permission: Permission – Planning Consequent, Conditional
 Applicant Name: John & Mary Kerr
 Description: Construction of dwellinghouse, proprietary treatment system, boundary wall, entrance and ancillary site works.
 Location: Mongfune, Murroe, Co. Limerick
 Architects: TM Building Designs Ltd.
 Comment: This is the planning application on which planning consequent was granted.

- - - - -

Planning Permission Ref. No.: 11-7026
 Received Date: 07/04/2011
 Decision Date: 31/05/2011
 Grant Date: Refused
 Type of permission: Extention of Duration - Refused
 Applicant Name: Linda O'Connor
 Description: Extention of Duration of PP 06/1018 - Construction of dwellinghouse, proprietary treatment system, boundary wall, entrance and ancillary site works.
 Location: Mongfune, Murroe, Co. Limerick
 Architects: Gleeson McSweeney Architects
 Comment: Application refused for the following reasons:
 As the requirements of Section 28 (Amended Section 42)1(a)(ii)(II) are not complied with, accordingly the Extension of Duration of Permission 05/2587, is refused for the following reasons:
 1. The Planning Authority considers that there have been significant changes in the development

Planning History of the Site
At
Mongfune, Murroe, Co. Limerick

objectives in the development plan since the date of the permission, (Objective EH 021: Septic Tanks and Proprietary Systems) such that the development would no longer be consistent with the proper planning and sustainable development of the area.

2. The site is located in the area designated as the Strong Agricultural Base, as defined by the County Development Plan 2010-2016, and this was not the case when the outline planning application was assessed in 2002. The Planning Authority considers that there have been significant changes in the development objectives in the development plan since the date of the outline planning permission; the applicant has not demonstrated compliance with this policy in so far as her housing need to live at this location has not been assessed. The development if permitted would be contrary to objective RS 02: Single Houses in the Area of Strong Agricultural base of the County Development Plan 2010-2016 would no longer be consistent with the proper planning and sustainable development of the area.

Planning Permission Ref. No.:	11-7055
Received Date:	08/07/2011
Decision Date:	31/08/2011
Grant Date:	31/08/2011
	Type of permission: Extention of Duration - Planning extended up to 12 th July 2014.
Applicant Name:	Linda O'Connor
Description:	Extention of Duration of PP 06/1018 - Construction of dwellinghouse, proprietary treatment system, boundary wall, entrance and ancillary site works.
Location:	Mongfune, Murroe, Co. Limerick
Architects:	Gleeson McSweeney Architects
Comment:	Application granted, with the following comments on the Planners Report: The applicant has indicated that the block work is now complete to eaves level including installation of in-situ concrete ground floor and suspended ceiling and some plumbing works. The applicant is the registered owner of the site. Furthermore site inspection on the 24/8/2011 indicated that the dwelling has been completed to wall plate level. It is considered to constitute substantial works in the context of the application. Recommendation:

Planning History of the Site
At
Mongfune, Murroe, Co. Limerick

I recommend that the application for extension of permission for three years be granted in accordance with the relevant provisions of Section 42 of the Planning and Development (amendment) Act 2010.

Planning Permission Ref. No.:	21-695
Received Date:	21/05/2021
Decision Date:	05/05/2022
Grant Date:	09/06/2022
Type of permission:	Retention & Completion - Permission - Conditional
Applicant Name:	Linda O'Connor
Description:	Retention of dwellinghouse as partially constructed and for permission to complete the construction of aforementioned dwellinghouse and associated site works including wastewater treatment system and entrance.
Location:	Mongfune, Murroe, Co. Limerick
Architects:	Gleeson McSweeney Architects
Comment:	Planning permission granted with the following residency clause: The proposed house, when completed shall be first occupied as a place of permanent residence by the applicant(s), (members of the applicants immediate family or their heirs), and shall remain so occupied for a period of at least seven years thereafter, unless, in exceptional circumstances, where otherwise agreed in writing with the Planning Authority.



Comhairle Chontae Luimnigh
Limerick County Council

| Caighdeán Tógála

Comhairle Chontae Luimnigh
Halla an Chontae
Tuar an Daill
Contae Luimnigh

Building Standards

Limerick County Council
County Hall
Dooradoyle
Co. Limerick

t: 061 496247

f: 061 496014

t: 061 496000

f: 061 496001

e: buildingstandards@limerickcoco

w: www.lcc.ie

Building Standards

05th July, 2011.

Liam Gleeson,
Gleeson McSweeney,
99 O'Connell Street,
Limerick.

Planning Ref: 06/1018

Commencement Notice Ref: 1106/28

Construction of dwelling house at: Mongfune, Murroe, Co. Limerick.

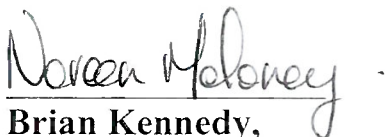
A Chara,

I acknowledge receipt of Commencement Notice in respect of the above development submitted in accordance with the Building Control Regulations 1997, and received 16th June, 2011..

Receipt No: 25272546 & (€30.00) in respect of fee's paid refers in this case.

If you have any queries regarding this matter, please contact Noreen Moloney in the Building Standards Department at (061) 496247/496378.

Yours faithfully,



Brian Kennedy,
Senior Executive Officer,
Building Standards.



**Building Control Authority: Comhairle Chontae Luimnigh
Limerick County Council**

Notice to Building Control Authority:

**LIMERICK COUNTY COUNCIL,
COUNTY HALL,
DOORADOYLE,
LIMERICK.**

Tel: 061-496378 Fax: 061-496014

OFFICE USE ONLY

Date received: _____
Register Ref: _____
Entered on: _____
Entered by: _____
Fee Received: _____
Receipt No: _____

Second Schedule

Form of Commencement Notice for Development

(Notice to a Building Control Authority pursuant to Part II of the Building Control Regulations, 1997)

A person who intends to carry out any works or to make a material change in the use of a building, under the Building Control Act, 1990, must submit the following information together with the appropriate appeal fee to the Building Control Department, Limerick County Council, County Hall, Dooradoyle, Limerick, not less than fourteen days and not more than twenty eight days before the commencement of the works or material changes.

Fee Details: €30 per building subject to a maximum fee of €3,800

1. I, the undersigned, hereby give notice/give notice on behalf of the person(s) named below*, to the above Building Control Authority (in accordance with Part II of the Building Control Regulations) that I/the person(s) named below* intend to carry out the development as described below. (* Cross out whichever is inappropriate)

Signature: _____

Date: 15/6/2011 Tel: 061-412277 Fax: 061-410048

Name of person(s): Liam Gleeson

E-mail: liam@gleesonmcsweeney.ie

Address: Gleeson McSweeney, 99 O'Connell Street, Limerick

Commencement Date (of works): 1/7/2011

Fee Payable (€): 30

2a. PROJECT PARTICULARS: (In addition, for Residential Developments, please complete Section 2b below)

Description of proposed development: Dwellinghouse and associated site works

Planning Permission No.: 06/1018 Date of grant: 13/7/2006 Date of expiry: 12/7/2011

Fire Safety Certificate Number (if applicable): _____

- Attach copy of Fire Safety Certificate

Location of development: Mongfune, Murroe,
Co. Limerick

2b. Residential Development Information:

Total number of dwelling units (all phases*): 1 Total no of phases*: 1

Phase for this commencement notice: _____ No. of units for this phase/commencement notice**: _____

Commencement date for this phase: _____ (Proposed) end-date for this phase: _____

- where applicable, i.e. phasing not relevant for single houses. ** include single house figure here also.
- Attach site plan showing units in this phase, 1:500 or 1:1000

3. Builder:

Name: Self-build Tel: _____ Fax: _____

Address: _____ Email: _____

4. Building Owner Details: (if different from Section 1 above)

Name: Linda O'Connor Tel: 087/6830490 Fax: _____

Address: Ballyrobin, Cullen, Co. Tipperary Email: _____

5. Building Designer Details:

Name: TM Building Designs Ltd Tel: 061-633322 Fax: 061-633321

Name: tm building designs Ltd for 000 0000
Address: Roselawn House, University Business Email: simon@tmbuildingdesigns.com
Complex, National Technology Park,
Limerick

6. Information: Person(s) from whom ~~may~~ be obtained such plans, documents and any other information, as are necessary to show that the building or works will, if built in accordance with design, comply with the requirements of the Building Regulations.

Name: Gleeson McSweeney Tel: 061-412277 Fax: 061-410048

Address: 99 O'Connell Street, Limerick Email: liam@gleesonmcsweeney.com

7. Drainage System Foundations: Person(s) from whom notifications of the pouring of any foundations and/or the covering up of any drainage systems may be obtained.

Name: As 6 above Tel: _____ Fax: _____

Address: _____ Email: _____